

IN THE CLAIMS:

Please cancel claims 1 - 37 without prejudice, and add new claims 38 - 44 as follows.

Claim 38 (New).

A prophylactic or therapeutic vaccine comprising an immunologically effective amount of a *H. pylori* CT polypeptide comprising SEQ ID NO:3, which polypeptide: (i) can induce the production of antibodies to *H. pylori* and (ii) exhibits substantially no toxicity, or substantially reduced toxicity.

Claim 39 (New).

The vaccine of claim 38, further comprising an immunologically effective amount of a second polypeptide comprising *H. pylori* cytotoxin associated immunodominant (CAI) antigen or a fragment thereof, which second polypeptide: (i) comprises at least ten amino acids, (ii) can induce the production of antibodies to *H. pylori*, and (iii) exhibits no functional contribution to toxicity, or a substantially reduced functional contribution to toxicity.

Claim 40 (New).

The vaccine of claim 39, wherein said second polypeptide comprises at least fifteen amino acids.

Claim 41 (New).

A method of preparing a prophylactic or therapeutic vaccine comprising bringing into association:

- (1) an immunologically effective amount of a *H. pylori* CT polypeptide, which polypeptide: (i) can induce the production of antibodies to *H. pylori* and (ii) exhibits substantially no toxicity, or substantially reduced toxicity, and
- (2) a pharmaceutically acceptable carrier.

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Claim 42 (New). The method of claim 41, further comprising adding an immunologically effective amount of a second polypeptide comprising *H. pylori* CAI antigen or fragment thereof, which second polypeptide: (i) comprises at least ten amino acids, (ii) can induce the production of antibodies to *H. pylori*, and (iii) exhibits no functional contribution to toxicity, or a substantially reduced functional contribution to toxicity.

Claim 43 (New). The method of claim 42, wherein the second polypeptide comprises SEQ ID NO:5, or a fragment thereof, which second polypeptide: (i) comprises at least ten amino acids, (ii) can induce the production of antibodies to *H. pylori*, and (iii) exhibits no functional contribution to toxicity, or a substantially reduced functional contribution to toxicity.

Claim 44 (New). A prophylactic or therapeutic vaccine comprising an immunologically effective amount of a recombinantly produced *H. pylori* CT polypeptide, wherein said recombinantly produced polypeptide (i) can induce the production of antibodies to *H. pylori* and (ii) exhibits substantially no toxicity, or substantially reduced toxicity, and a pharmaceutically acceptable carrier.

REMARKS

Claims 1 - 37 were pending.

By way of this amendment, claims 1 - 37 are canceled without prejudice, and new claims 38 - 44 are added.

Upon entry of this amendment claims 38 - 44 will be pending.